

NAM Statement: Public Hearing on EPA's Proposed Coal Ash Rule – August 30, 2010:

Good afternoon, my name is Alicia Oman, and I am the director for energy and resources policy at the National Association of Manufacturers. The NAM is the largest industrial trade association in the U.S. representing over 11,000 small, medium and large manufacturers in all 50 states. The NAM is the leading voice for the manufacturing economy in Washington, DC, which provides millions of high wage jobs in the U.S. and generates more than \$1.6 trillion in GDP. In addition, eighty percent of NAM members are small businesses, which serve as the engine for job growth.

EPA's proposal to regulate the disposal of Coal Combustion Residuals or "CCRs" will have a direct impact on many of our member companies. Not only will it impact the utilities and CCR generators that will have to comply with the new disposal requirements, but it will also directly impact the nearly 2,000 companies that may use CCRs to manufacture products. The NAM and its members appreciate the opportunity to provide the following comments.

Manufacturers are attempting to fully recover from the steepest economic downturn since the 1930s and bring back the 2.2 million high-wage jobs lost during the previous recession. Federal policy makers should create conditions that will lead to economic expansion and not stifle the vitality necessary to create jobs.

The NAM and its member companies are confronting an avalanche of additional rules and regulations from EPA including the reconsideration of the 2008 “Ozone Standard,” the Boiler MACT rule, and the imposition of first-time federal regulations on greenhouse gas emissions.

The NAM strongly opposes the regulation of CCRs as a special listed waste under Subtitle C of the Resource Conservation and Recovery Act (RCRA). Regulating CCRs under Subtitle C would place unworkable facility and operational requirements on utilities and other generators of CCRs and create an immediate and critical shortfall in hazardous waste disposal capacity. This increased regulatory burden is likely to result in higher energy costs for all manufacturers.

Manufacturers are especially vulnerable to high energy costs, and a noticeable increase in the price of energy will derail any hope of a robust economic recovery, preventing Americans from getting back to work.

Reclassification of CCRs as a hazardous waste is likely to increase transportation costs, both for power generators and manufacturers who generate their own CCRs, by channeling material to sites that are designed to handle hazardous waste. One food processing facility that generates CCRs estimates that their costs for transportation and disposal could increase from \$120,000 to approximately \$20 million per year if the material were regulated as a hazardous waste.

In addition, manufacturers are concerned that the Subtitle C option will result in the loss of important high-paying jobs in the CCR beneficial reuse market. CCRs are used to manufacture products such as concrete and wallboard and can also be used in road transportation applications. Federal policies should encourage the beneficial reuse of industrial byproducts and other manufacturing initiatives that make economic and environmental sense.

Thank you for your attention, and the NAM looks forward to submitting a full set of comments to the agency.